

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

United States of America,

Criminal No.

Case: 5:22-cr-20249

Plaintiff,

Honorable

Assigned To : Levy, Judith E.

v.

Violations:

Referral Judge: Grey, Jonathan J.C.

D-1 Thomas Lee McKinney,

18 U.S.C. § 1344

Filed : 5/10/2022

Defendant.

18 U.S.C. § 2

INF USA V MCKINNEY (LH)

18 U.S.C. § 922(g)(1)

INFORMATION

THE UNITED STATES ATTORNEY CHARGES

COUNT ONE

18 U.S.C. §§ 1344(2) and 2 - Bank Fraud; Aiding and Abetting

D-1 THOMAS LEE MCKINNEY

1. From on or about December 12, 2018, to on or about January 10, 2019, in the Eastern District of Michigan, and elsewhere, defendant, Thomas Lee McKinney did knowingly and unlawfully execute a scheme, while aiding and abetting others, to obtain the money, funds, or other property owned by or under the control of Bank A, a financial institution insured by the Federal Deposit Insurance Corporation, by means of materially false or fraudulent pretenses or representations.

2. The scheme involved diverting a stolen check payable by United Parcel Service (UPS) and depositing the check into a bank account, and thereafter making withdrawals therefrom, under false pretenses. As part of the scheme, a check for \$ 608,100 payable by UPS to Bluestem Brands Inc., a company in the state of Minnesota, was diverted from a UPS facility in the state of Georgia, and sent instead to the state of Michigan. Shortly after the check was diverted from Georgia, one or more participants in the scheme created a false company in the state of Michigan called Bluestem Brands Inc., and opened an account for the false Bluestem Brands company at a branch office of Bank A in Huntington Woods, Michigan on or about January 4, 2019. On or about January 7, 2019, McKINNEY and another participant in the scheme deposited the stolen UPS check into the account under the materially false pretense, and with the intent to deceive the bank, that they were authorized to do so on behalf of the real Bluestem Brands company for which the check was intended. Thereafter, McKINNEY made a series of withdrawals from the Bluestem Brands bank account on January 9 and 10, 2019.

All in violation of Title 18, United States Code, Section 1344(2), and Title 18, United States Code, Section 2.

COUNT TWO
18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm

D-1 THOMAS LEE MCKINNEY

3. On or about January 26, 2022, in the Eastern District of Michigan, and elsewhere, defendant, Thomas Lee McKINNEY, knowingly and unlawfully possessed a firearm, namely a Clerke .32 revolver, serial number 073078, that was manufactured in the state of California and shipped in interstate commerce. At the time of his possession of the firearm, defendant knew that he previously had been convicted of a crime punishable by imprisonment for more than one year.

All in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

4. Pursuant to Fed. R. Cr. P. 32.2(a), the government hereby provides notice to the Defendant of its intention to seek forfeiture of all proceeds, direct or indirect, or property traceable thereto, all property that facilitated the commission of the violations alleged, or property traceable thereto, and all property involved in, or property traceable thereto, of the violations set forth in this Information.

5. Substitute Assets: If the property described above as being subject to forfeiture, as a result of any act or omission of Defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;

- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property that cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c).

6. Money Judgment: Upon conviction of the violation alleged in this Information, the United States will seek a forfeiture money judgment against Defendant in an amount equal to the total amount of proceeds obtained as a result of Defendant's violations of Title 18, United States Code, Section 1344 as alleged in this Information.

DAWN N. ISON
United States Attorney

s/John Neal

JOHN NEAL
Chief, White Collar Crime Unit

s/Mark Chasteen

MARK CHASTEEEN
Assistant United States Attorney

Dated: May 10, 2022

(Companion Case information MUST be completed by AUSA and initialed.)

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 22-20249
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: M.C.

Case Title: USA v. Thomas Lee McKinney**County where offense occurred :** Oakland**Check One:** Felony Misdemeanor Petty Indictment/ Information --- no prior complaint. Indictment/ Information --- based upon prior complaint [Case number: 22-mj-30020,22-mj-30043] Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].**Superseding Case Information****Superseding to Case No:** _____ **Judge:** _____

- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

May 10, 2022
Date

s/Mark Chasteen
Mark Chasteen
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Attorney Bar #:

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.